

PROJUSTICE**USAID/PROMOTING AND STRENGTHENING JUSTICE IN THE DEMOCRATIC
REPUBLIC OF CONGO PROJECT**

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**Twelfth Quarterly Progress Report
July-September 2011**

**Croisement Avenues Kalume et de la Gombe
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ACRONYMS

APS	Annual Program Statement
ASEARO	<i>Association Étudiants Auditeurs Radio Okapi</i> (Student Association of Radio Okapi Listeners)
CDF	Congolese Francs
CDJP	<i>Commission Diocésaine Justice et Paix</i> (Diocesan Commission for Justice and Peace)
CEPROSOC	<i>Centre Pour la Promotion Sociale et Communautaire</i> (Centre for Welfare and Community)
CFMUDEMA	<i>Collectif des Associations des Femmes Musulmanes pour le Développement du Maniema</i> (Collective of Associations of Muslim Women for the Development of Maniema)
CSM	<i>Conseil Supérieur de la Magistrature</i> (High Judicial Council)
CSO	Civil Society Organization
DFDC	<i>Dynamique Femme Pour le Développement du Congo</i> (Women's Dynamic for the Development of Congo)
DRC	Democratic Republic of the Congo
EFRPJ	<i>École de Formation et de Recyclage du Personnel Judiciaire</i> (Institute of Judicial Training and Retraining)
FOMEKA	<i>Fondation Monseigneur Emmanuel Kataliko</i> (Monsignor Emmanuel Kataliko Foundation)
FY	Fiscal Year
LDFC	<i>La Ligue pour les Droits de la Femme Congolaise</i> (League for the Rights of Congolese Women)
MOJHR	Ministry of Justice and Human Rights
NGO	Non-Governmental Organization
PCC	Pilot Court Coordinator
PGI	<i>Parquet de Grande Instance</i> (Prosecutor's Office of the Court of First Instance)
PROSADEF	<i>Promotion de la Santé des Droits de la Femme et Enfants</i> (Promotion of the Health of Women's and Children's Rights)
PS	Permanent Secretariat
RAPPE	<i>Réseau d'Associations pour la Protection et la Promotion de l'Enfance au Maniema</i> (Network of Associations for the Protection and Promotion of Children in Maniema)
SDE	<i>Service de Documentation et d'Etudes</i> (Documentation and Study Service)
SOS-IJM	<i>SOS Information Juridique Multisectorielle</i> (SOS Multi-Sectoral Legal Information)
TGI	<i>Tribunal de Grande Instance</i> (Court of First Instance)
TP	<i>Tribunal de Paix</i> (Peace Court)
UCB	<i>Université Catholique de Bukavu</i> (Catholic University of Bukavu)
UNDP	United Nations Development Program
USAID	United States Agency for International Development

EXECUTIVE SUMMARY

COMPONENT 1

- On September 29, 2011, ProJustice held an unveiling ceremony for the Practical Guide to Disciplinary Procedures for Magistrates. Representatives of the President of the *Conseil Supérieur de la Magistrature* (High Judicial Council (CSM)), officers from the CSM and the Ministry of Justice and Human Rights (MOJHR), members of the CSM, authorities of the city of Kinshasa, the United States Agency for International Development (USAID) Mission Director, international partners, and various civil society organizations (CSOs) attended the ceremony. The guide will help disciplinary boards to function more effectively and assist the MOJ in organizing more disciplinary board hearings.
- Since March 2011, ProJustice has been developing a partnership with the United Nations Development Program (UNDP). According to the agreement between the two organizations, UNDP organizes workshops on the development of magistrates' careers and disciplinary procedures in the provinces that are not within ProJustice's mandate. In August, with support from ProJustice, UNDP supported two provincial Disciplinary Boards in Orientale and Equateur Provinces. In September, UNDP organized workshops on career and disciplinary proceedings for magistrates in West Kasai and East Kasai Provinces.
- Work is continuing on the data collection on magistrates' careers. By the end of the quarter, ProJustice had collected the majority of career information forms from magistrates, and the project team is currently compiling the data. The project plans to hire a consultant to assist in the creation of the career database, scheduled to be completed by February 2012.

COMPONENT 2

- ProJustice completed a series of three modules on the training of clerks and prosecutors' secretaries in each of the four pilot sites. The project team decided it would be effective to monitor and evaluate the sessions. As of September 30, 2011, only Maniema Province (Kindu) has not been evaluated by the administrative authorities. The activity is included in ProJustice's annual plan for the first quarter of Fiscal Year (FY)12.
- ProJustice has maintained its support of the *École de Formation et de Recyclage du Personnel Judiciaire* (Institute of Judicial Training and Retraining (EFRPJ)) for the organization of certificate ceremonies for those who have benefited from seminars created in conjunction with the project. During the reporting period, the EFRPJ held two certificate ceremonies, in Kindu and Lubumbashi.
- In August, ProJustice focused on monitoring the implementation of the judiciary budget. The project found that the CSM budget has been partially spent at the central level. Accurate provincial level spending has been difficult to assess in most provinces.

COMPONENT 3

- ProJustice supported the archiving and processing of case files in the pilot courts in three provinces between July and September, organizing 8,582 files into new folders made available to the courts.

- During this quarter, ProJustice provided financial support for the installation of internet service at the Bukavu courthouse. Wireless internet access is now providing connectivity for 30 offices at the courthouse, enhancing their ability to pursue legal research and use e-mail.
- ProJustice has begun the construction of information kiosks staffed by local volunteers which will offer both information on necessary steps in the legal process, and actual costs for judicial services. Information will be more clear and more available, thus eliminating the potential for corruption and extortion. Kiosks are currently in use in two sites, Lubumbashi and Kindu.

COMPONENT 4

- ProJustice has provided technical and financial support, through its grant program to the Bukavu Bar Association, in the organization of a workshop for capacity building of young lawyers from September 19-20, 2011. The workshop allowed the lawyers, who play an active role in the free legal consultation center, to receive training and information on legal aid to be provided to vulnerable persons in accordance with fair trial standards.
- On August 10, 2011, ProJustice published the Annual Program Statement (APS) for both Kinshasa and the pilot sites on *Mediacongo.net* for the 3rd annual grant cycle. The APS contained details regarding purpose and objectives of the ProJustice Grants Program, the grants budget, size of grants, geographic coverage and timeline, eligibility criteria, types of projects, and information on the application process.
- ProJustice grantee *La Ligue pour les Droits de la Femme Congolaise* (League for the Rights of Congolese Women (LDFC)) held a workshop on women's integration into legal professions on September 6, 2011, which 150 people (142 women, 8 men) attended. Participants included members of CSOs, members of Parliament, and lawyers. Three representatives from the Ministry of Gender, Family, and Childhood also attended.

WINDOWS OF OPPORTUNITY

- The CSM requested and received ProJustice assistance in funding internet installation along with three months of internet subscription at the CSM Permanent Secretariat (PS) premises.
- The Justice Palace in Kindu received support from ProJustice to begin renovations to improve court operations. The renovations will cost approximately \$30,000.

1. QUARTER 12 - ACTIVITIES AND RESULTS

1.1 COMPONENT 1 - SUPPORT THE ESTABLISHMENT OF NEW JUDICIAL INSTITUTIONS

1.1.1 Component 1A. Establish Transparent Procedures for Recruitment, Selection, and Promotion of Magistrates

Transparent Merit-based Criteria for Recruitment, Selection, Discipline, and Promotion of Magistrates Adopted and Implemented by the CSM

The majority of magistrates in the Democratic Republic of the Congo (DRC) have limited knowledge regarding laws providing for disciplinary proceedings against magistrates in violation of their codes of ethics. Disciplinary Boards that adjudicate alleged breaches of ethics and professional conduct codes often come to inconsistent interpretations of how the laws should be enforced. Despite a national legal system, there is no consistent enforcement of disciplinary rules. The internal regulations of the CSM provide that disciplinary boards shall be granted \$10,000 annually to cover their operating costs, but the Congolese Government has never allocated money to these bodies.

In addition to the lack of state funding, heads of jurisdictions and offices (Presidents of the Courts and Public Prosecutors) generally ignore disciplinary procedures. Component 1's main mission is to support newly created judicial institutions in the DRC. To assist the CSM, ProJustice provides technical and financial assistance to the Disciplinary Boards, an organ of the CSM. The more effectively the Boards work, the more sanctions against magistrates in breach of professional ethics are imposed, improving the administration of justice.

Technical Assistance to CSM Disciplinary Boards. During this quarter, the National Disciplinary Board rendered decisions on a case concerning a magistrate of the Matadi Court of Appeals, and a case concerning a magistrate of the Kinshasa/Assosa Peace Court (TP). The project also assisted the board with two additional cases.

- The Matadi Court of Appeals magistrate was prosecuted for having rendered a decision in a court which was out of his jurisdiction, and for having stayed in Kinshasa without prior authorization by his supervisors. The National Disciplinary Board overturned the Provincial Board's decision, and acquitted the magistrate.
- The second magistrate (Kinshasa/Assosa TP) was prosecuted for disobedience. In this case the National Board confirmed the Provincial Board's decision, which required the dismissal of the magistrate. The magistrate appealed to the Supreme Court. The case is now pending until the hearing, which is scheduled for October 2011.
- Beginning on July 26, 2011, Component 1 provided assistance to the hearings at the National Board on a case concerning the General Prosecutor of Goma. On August 9, 2011, the Board ruled for the dismissal of the magistrate.
- A case concerning the Bandundu Assistant Public Prosecutor also required ProJustice's support. The Board heard the case on August 20, 2011 and the final decision, rendered during

the same month, confirmed the decision issued by the Provincial Board requiring the suspension of the magistrate's salary for a month.

ProJustice also provided assistance in two cases pending before the Provincial Disciplinary Board of Katanga. The first hearing of the case of a Likasi *Tribunal de Grande Instance* (Court of First Instance (TGI)) magistrate took place on July 25, 2011. Due to breaches in disciplinary procedure, the board terminated the proceedings launched against the magistrate for having disobeyed his direct supervisor.

The project also supported the Board in hearings on July 28, 2011. CSM prosecuted two magistrates – a Commercial Court judge, and a TGI judge from Lubumbashi – for violations of professional standards. Both magistrates received reprimands.

In Bandundu, the project provided assistance to the Provincial Disciplinary Board. Three hearings took place regarding cases concerning Bandundu magistrates: a Court of Appeals judge, an assistant Public Prosecutor, and a Deputy Head of the Office of the Prosecutor in Mushie. In the first case, the Court of Appeals judge was reprimanded. The Deputy Head of the Office of the Prosecutor in Mushie was prosecuted for two disciplinary wrong-doings: refusal to requisition during a hearing, and corruption. Charges were dropped concerning the first ground, and the prosecutor received a reprimand for the second. In the last case, the magistrate was suspended with suspension of salary for three months.

On September 29, 2011, ProJustice held an unveiling ceremony of the Practical Guide to Disciplinary Procedures for Magistrates. Representatives of the President of the CSM, officers from the CSM and MOJHR, members of the CSM, authorities of the city of Kinshasa, the USAID Mission Director, international partners, the Tt DPK home office Director of Major Projects, and various CSOs attended the ceremony. The guide will help disciplinary boards function more effectively and assist the MOJHR in organizing more disciplinary board hearings. It will also educate magistrates on proper conduct. ProJustice has printed 4,000 copies of the guide, which will now be distributed to all magistrates in the DRC.

To date, 972 newly appointed magistrates have received a copy of the guide. They have also received copies of the revised Penal Code published in 2010. Distribution to the rest of magistrates in the DRC is currently in progress.

New Career System for Magistrates Based on Transparent, Merit-based Criteria for Promotion

The system for selection, recruitment, promotion, and discipline of magistrates in the DRC is governed by the 2006 Law on the Status of Magistrates. Although the law establishes broad independence for the judiciary, it does not provide practical guidance on developing transparent criteria for the selection, promotion, and dismissal of magistrates. To remedy the problem, ProJustice has been working closely with the CSM and holding workshops with magistrates this quarter to develop a more transparent career system for magistrates. With more transparent and merit-based criteria in place, there will be more skilled judges capable of improving the quality of justice in Congolese judicial institutions.

Data Collection on Magistrates' Careers. Work is continuing on the data collection involving magistrates' careers. By the end of the quarter, ProJustice had collected the majority of career information forms from magistrates, and the project team is currently compiling the data. The

project plans to hire a consultant to assist in the creation of the career database, scheduled to be completed by February 2012.

1.1.2 Component 1B. Establish Transparent Organizational Procedures for New Judicial Institutions

New Internal Procedures and Organizational Structure of Judicial Council Adopted and Implemented

The last Judiciary Code in the DRC dates back to 1986. It contains outdated laws and constitutes an obstacle to the good work of magistrates and lawyers. In an attempt to strengthen judicial capacities and improve the administration of justice, Component 1 is in process of updating the document which will be distributed to magistrates. The new code will contain new laws, ordinances, orders, and circulars applicable to newly created judicial institutions such as the CSM, the Constitutional Court, the *Cour de Cassation* (highest general jurisdiction court), and juvenile tribunals. Such a code would greatly facilitate the work of magistrates in the DRC.

DRC Judicial Code Compendium. The compilation of the Judiciary Code did not progress during this trimester due to delays in the creation and/or implementation of three laws: the law establishing the Constitutional Court was not promulgated by the President even though it was sent to the Presidency in May 2011; the law on the procedures to be implemented before the Cour de Cassation was not sent to the Presidency until September 2011; and the law on the organization and functioning of jurisdictions of the Judiciary was submitted for review by the joint parliamentary commission (in the House of Representatives and in the Senate), which is not likely to conclude its work until October 2011. After that time, the commission will send the laws to the Presidency for promulgation. Once the three laws have been finalized, ProJustice will be ready to produce the new Judicial Code Compendium.

ProJustice Work With Other Partners. Since March 2011, ProJustice has been developing a partnership with the United Nations Development Program (UNDP) to build on the work that ProJustice has been doing in its pilot sites. According to the agreement, UNDP will organize workshops on the development of magistrates' careers and disciplinary procedures in the provinces which are not part of ProJustice's mandate. UNDP also will support disciplinary boards in these sites.

In August, with support from ProJustice, UNDP supported two provincial Disciplinary Boards in Eastern and Equator Provinces. In September, UNDP organized workshops on career and disciplinary proceedings for magistrates in West Kasai Province (September 22-24, 2011, Kananga) and East Kasai Province (September 16-19, 2011, Mbuji-Mayi).

New Internal Operating Procedures and Organizational Structures for the Constitutional Court Adopted and Implemented

Component 1 is still awaiting the promulgation of the law on the organization and functioning of the Constitutional Court before launching activities in this area.

1.2 COMPONENT 2 - ENHANCE EFFECTIVE AND TRANSPARENT MANAGEMENT OF THE JUDICIARY AND MINISTRY OF JUSTICE

1.2.1 Component 2A. Strengthen Management Skills of Justice Institution Personnel and Training Institutions

Enhance Management Skills of CSM (Bureau, Secretariat, and New Management Units)

The ability to work with CSM administrative staff as a means of improving their capacity is dependent on the recruitment of staff members by the CSM. Following the design and adoption of an organizational structure, CSM must recruit personnel for each of the different administrative departments created. ProJustice is waiting for this recruitment to take place so it can implement this activity. As the CSM had no specific budget allocated towards the salaries of administrative staff in FY 2011, and since ProJustice cannot pay their salaries, little can currently be done at this time. ProJustice is currently working with the CSM to finalize the FY12 budget, which should include a budget for the new personnel.

Enhance Management Skills of MOJHR Staff (Staff of National Training Institutions, such as the Institute of Judicial Training and Retraining (EFRPJ) and the Documentation and Study Service (SDE))

This quarter, ProJustice organized several meetings with MOJHR staff: the Chief Clerk of the Supreme Court of Justice; and the First Secretary of the Attorney General of the Republic, to plan the monitoring and evaluation of the training sessions conducted by ProJustice for magistrate and non-magistrate personnel. The process began last quarter in Bandundu Province, and in Quarter 12, the project evaluated personnel in South Kivu (Bukavu) and Katanga (Lubumbashi) Provinces as well. Kindu (Maniema Province) will be evaluated in the first quarter of the new fiscal year.

ProJustice also worked with management of the EFRPJ to organize both activities in provinces and training of administrative staff at the school.

Such collaboration between ProJustice and MOJ staff is becoming more frequent and helping to ensure the effective participation of our partners. The EFRPJ generally trains non-magistrate personnel, while the office of the Clerk of the Supreme Court and the Secretariat of the Prosecutor General of the Republic manage their own careers. The involvement of these two sectors is therefore necessary to monitor and enhance the work of ProJustice.

As a result of the monitoring and evaluation efforts, magistrates have now received more structured and formal evaluations from their leadership, and training has become a priority, allowing them to work more effectively and have their achievements recognized by their superiors.

Partnership with EFRPJ. ProJustice's primary objective is to ensure the continuity and sustainability of its work in the DRC after the project ends. The project measures success through progressive transmission of knowledge to its partners. For the EFRPJ, the context is difficult and takes time. For more than 20 years, the administrative structure of the organization did not function properly. Agency staff are elderly, and many have not mastered the use of modern equipment or technology. The ideal would be to have a dynamic new staff which could

be able to adapt more quickly. This is not the case, however, despite requests from all stakeholders in the justice sector. As a result, the project is working with the current team, and train them to take over at the end of the project.

In a meeting of May 27, 2011 that focused on the progress of the ongoing training of clerks and prosecutors' secretaries, the director of the EFRPJ and ProJustice indicated that the training of EFRPJ staff is a key priority in ensuring achievement of ProJustice's objectives. This quarter has marked the start of a series of training seminars targeting the staff of the EFRPJ. The seminars focus on practical work, with the school's staff participating in all preparatory phases of educational and administrative training.

Training of EFRPJ Staff. From July 19-25, 2011, ProJustice trained the EFRPJ office manager in charge of budget and finance on budget preparation for training activities. They discussed the following points:

- Identification of needs for training activities
- The essential prerequisites for establishing a budget for a training activity
- How to code expenses for:
 - Transport of organizers, facilitators, and participants
 - Housing of organizers, facilitators, and participants
 - Refreshments for organizers, facilitators, and participants
 - Various services used by organizers, facilitators, and participants.

The workshop was the first in a series planned to strengthen EFRPJ's capacity to plan and implement training sessions.

On September 9, 2011, ProJustice held a working meeting with the director of the EFRPJ to discuss training evaluations for the EFRPJ Director of Budget and Finance, and the Director of Training, which ProJustice carried out in July 2011.

From September 12-14, 2011 ProJustice conducted an evaluation session to verify the impact of the earlier trainings delivered in July 2011. ProJustice conducted the evaluation sessions in collaboration with the Head of the EFRPJ, who praised the project's efforts to improve staff capacity in the organization. The evaluation showed the trainings were successful but that the EFRPJ officials had not been able to master basic necessary computer skills (i.e., Excel) and will require additional training.

ProJustice's Work with the SDE. With the lack of a functional judiciary in recent years, roles and responsibilities of various judicial actors have been blurred, as various bodies and departments attempt to keep a broken system working, even at a minimal level. During this period, the SDE had taken primary responsibility for the training of magistrates; with the reconstruction of the Congolese judiciary in DRC, the CSM felt as though it was more appropriate for them to take partial responsibility for magistrate training, leaving the SDE to pursue its primary mission of research and documentation, as per the organization's name. As the SDE feels that this should still be their responsibility, an understandable friction has developed in relations between the two institutions, as well as with ProJustice.

The issue is significant, as the SDE had neglected its primary task of research and documentation focusing primarily on the training of magistrates. With the strengthening of the CSM, the SDE is now expected to resume its initial activities for the overall benefit of the judicial system. In order

to fulfill this responsibility, the body requires a functional internet connection for collaboration and research.

Currently, the SDE has one barely functioning connection for three computers. In September, the SDE requested ProJustice assistance to install an internet connection at their offices capable of supporting approximately 10 computers. SDE management has committed to ensuring sustainability of the connection following ProJustice's initial support for installation. Since the activity was not foreseen in the work plan, ProJustice has sought USAID approval to fund this activity through the Windows of Opportunity budget line.

1.2.2 Component 2B. Enhance the Skills and Qualifications of Court Personnel

Standardized Initial and Continuing Training Programs for Court Personnel (Magistrates and Non-magistrates)

Training of Magistrates. In September, the Congolese Government completed recruitment of 2,000 new magistrates, who were subsequently trained with support from ProJustice. With these new personnel beginning their assignments, judicial personnel who had been temporarily reassigned are now able to return to their normal locations, or serve elsewhere as Justices of the Peace. This has been an ongoing issue, as large areas of the country have had no judiciary staff, a problem which should be solved with this new recruitment. Prior to the recruitment, it may have been possible to provide magistrates in all areas of the country, but most staff were unwilling to be reassigned, as working conditions in these areas are often extremely difficult. The new magistrates, whose training lasted for a month and a half, will intern for one year with a local prosecutor before joining the bench permanently.

Ongoing Training of Clerks and Prosecutors' Secretaries in South Kivu and Katanga. Beginning in October 2009, ProJustice completed a series of three modules of training for clerks and prosecutors' secretaries in each of the four pilot sites. Following these sessions, each province now has a group of trainers who can be used for local refresher training courses. The trainers must first obtain approval from administrative authorities, namely the Chief Clerk of the Supreme Court of Justice and the First Secretary of the Prosecutor General of the Republic. These authorities raised questions in meetings with ProJustice as to how to ensure the quality of the training sessions. The project decided it would be effective to conduct monitoring and evaluation of the sessions in each of the pilot provinces.

As of September 30, 2011, only Maniema Province (Kindu) has not been evaluated by the administrative authorities. This activity is included in ProJustice's annual plan for the first quarter of FY12.

Training in South Kivu: Assessment and Monitoring. From July 18-28, 2011, ProJustice supported administrative authorities of the EFRPJ on missions to assess the impact of the project's training program in South Kivu Province. The delegation observed the work of staff at the Bukavu Court of Appeals and Prosecutor General's office, the Bukavu TGI, the Tribunal and Secondary Prosecutor of Kavumu, the Uvira TGI, and the Uvira TP.

The delegation consisted of:

- Alexis Amisi Omtete, Secretary General and Secretary to the Prosecutor General of the Republic, and Representative of the MOJHR
- Albert Tamba Tsan, Chief Clerk and Secretary General of the Supreme Court
- Willy Lubin, ProJustice Component 2 Leader.

The delegation reviewed court records in each court and the Prosecutor's Office, and corrected errors on the spot. ProJustice observed that the clerks and prosecutors' secretaries trained with the support of ProJustice showed a significant improvement in court records management and deadline compliance, although other problems such as lack of resources persist.

During the visit, ProJustice monitored a total of 140 non-magistrate judiciary personnel (60 clerks and 80 prosecutors' secretaries) (100 men, 40 women). Of the 140 staff, 26 had participated in



A clerk at the Bukavu Court of Appeals who participated in the recent evaluation of non-magistrate personnel training

ProJustice trainings. Those 26 staff members told the delegation that they frequently had shared their training with other staff to build capacity.

The delegation also met with 30 magistrates and prosecutors (all men) who have benefited from training by ProJustice, including 20 from the first training cycle sponsored by the project.

The head of Component 2 carried out a solo mission to the Uvira TP. Alexis Amisi Omtete (Secretary General) and Albert Tamba Tsan (Chief Clerk) declined to travel to Uvira following the killing of the leader of a rebel group a few days earlier.

Training in Katanga: Assessment and Monitoring. From August 15-24, 2011, ProJustice supported administrative authorities of the EFRPJ on missions to assess the impact of the project's training program in Katanga Province. The delegation observed the work of staff at the Lubumbashi Court of Appeals and General Office of the Prosecutor; the TGIs of Lubumbashi, Likasi and Kipushi, and their affiliated Prosecutors' Offices; the Kasumbalesa Secondary Office of the Prosecutor; and the Lubumbashi TP. Clerks and divisional secretaries from Kolwezi travelled to Lubumbashi and joined the delegation for the meetings.

The delegation consisted of:

- Alexis Amisi Omtete, Secretary General and Secretary to the Prosecutor General of the Republic, and Representative of the MOJHR
- Jules Ekatou Limbele, First Clerk of the Supreme Court, Representative to the Chief Clerk and General Secretary of the Supreme Court
- Willy Lubin, ProJustice Component 2 Leader.

The delegation prepared a mission report. ProJustice also took the opportunity to organize a general training and information workshop for court staff. This was the first time that these jurisdictions received a supervisory visit from the First Secretary of the Prosecutor's Office.

During the visit, the delegation monitored the work and technical skills of a total of 260 non-magistrate judicial personnel (160 clerks, 100 prosecutors' secretaries) (200 men, 60 women). Of this group, 67 (52 men, 15 women) received training from ProJustice.

On August 17, 2011, 35 magistrates in Likasi met with ProJustice staff, 27 of whom (17 men, 10 women) had attended the first training supported by ProJustice in April 2010. Among the other eight participants (all men), three had attended another ProJustice training session.

Certificate Award Ceremonies. Most of the personnel working for EFRPJ have not obtained any degree from the state, and for many, the act of obtaining a certificate from the school is an important professional milestone. A certificate gives them a qualification recognized both by their supervisors and by litigants in general. Following the training sessions conducted by ProJustice, the school now issues certificates to candidates who earn at least 60% (12/20) on their practical assessments. ProJustice has continued supporting the EFRPJ in organizing certificate ceremonies for those who have benefited from the seminars organized in conjunction with the project.

During the reporting period, the EFRPJ held two certificate ceremonies. On July 26, 2011, ProJustice supported the EFRPJ in a graduation ceremony for non-magistrate personnel in Kindu. Thirteen of the 21 clerks and prosecutors' secretaries received certificates (11 men, 2 women) from Kindu (7), Punia (3), and Kasongo (3). EFRPJ awarded certificates to participants who earned an average of 12/20 on assessments of the three "Practical Management of Clerks and Prosecutors' Secretaries Offices" sessions. All participants had previously received certificates for participation in May 2011. The awards ceremony took place at the ProJustice office in Kindu and was chaired by the ProJustice Chief of Party Daniel Dobrovoljec, who was in Kindu at the time (see Attachment 1).

On August 20, 2011, judicial authorities and the EFRPJ, with the support of ProJustice, organized a certification ceremony for the participants of a training session held in March 2011 for clerks and prosecutors' secretaries at the Lubumbashi Court of Appeals. A total of 20 participants received diplomas, i.e., those who had received a score of 60 percent (12/20) or higher on the exam administered after the training. The group included personnel from Lubumbashi (10), Pweto (1), Kambove (1), Kolwezi (1), Kasumbalesa (1), Lubudi (1), Likasi (2), and Kipushi (3). Ten participants from Lubumbashi (7), Likasi (1), Kipushi (1), and Kasumbalesa (1) also received recognition for their participation, having attended the training but received a final score on the evaluation exam of less than 60 percent. Several judicial authorities participated in the ceremony including the First President of the Court of Appeals, the General Prosecutor of the Lubumbashi Court of Appeals, the General Public Prosecutor, as well as representatives of partner non-governmental organizations (NGOs) such as International Foundation for Electoral Systems and Development Alternatives, Inc. A total of approximately 100 people attended the event.

Assistance to Law Schools. In the DRC, the university law system is viewed as the key element in an otherwise often non-functional system for preparing future leaders of the country. Through field visits, ProJustice staff have verified that professional gaps exist involving some current magistrates and are the consequence of poor academic preparation. One of the reasons for poor preparation is the lack of qualified teachers throughout the country. At the request of universities in the pilot sites, ProJustice decided to make staff experts available so that new courses could be

offered when possible, including those on criminal law. The experiment to assist law schools is in its second year at universities in Bukavu and Kindu.

In July, ProJustice completed grading the exams of 101 students from the University of Kindu following a course in special criminal law delivered by Professor Willy Lubin. Of 101 students who sat for the examination, 27 received marks between 20 and 30 out of 40; 37 students achieved marks between 14 and 18 out of 40; and 37 received marks between 2 and 13 out of 40. Results of the exams were sent to Kindu on July 28, 2011.

As part of the program, 143 students from the *Université Catholique de Bukavu* (Catholic University of Bukavu (UCB)) who had trained in general criminal law received evaluations between July 25- 28, 2011. ProJustice corrected the evaluations and sent them to the UCB on August 10, 2011. More than two thirds of UCB students (98 of 143) earned passing grades. Due to the anonymity of the exams, ProJustice could not determine the gender breakdown of the test takers. During training, however, ProJustice staff noted that more than one-third of the students were female.

In Bukavu and Kindu Provinces, an important gap has been filled in the field of general criminal law. The proper application of criminal law helps to protect fundamental human rights. Through the creation of the new seminars, Bukavu and Kindu now have a new tool for mastering criminal procedure. ProJustice has included this support to universities in the FY12 Annual Work plan (Activity 2.2), as it is relatively inexpensive and yields tangible impact, preparing future magistrates and contributing to the greater integration of women in the legal system.

1.2.3 Component 2C. Improved Budget and Resource Management by the CSM and MOJHR

Judicial Budgets Adopted Through Transparent Procedures that Increasingly Reflect Real Operational Costs of Justice System Operations

The budget allocated to the judiciary has always been an issue in the DRC. First, it is designed by people unaware of the realities of judicial institutions in the country. Judicial authorities generally are excluded from the budget drafting process, while the MOJHR and the Ministry of Budget remain in charge. Second, the unrealistically low amount allotted for the budget is not disbursed to its intended beneficiaries. Judicial institutions end up functioning every year without operating funds. To address this problem, ProJustice has drafted strategies so that an adequate budget can be designed and distributed to judicial institutions.

On July 13, 2011, ProJustice held a working session with Basile Lumande, the CSM budget management focal point. The purpose of the meeting was to discuss the urgent need to send the budget proposal to the Budget Ministry, so that it could be integrated into the State budget and addressed to the Council of Ministers in August 2011. ProJustice reminded the CSM that failure to do so could result in the CSM budget being excluded from the State budget.

On September 2, 2011, ProJustice held a meeting with CSM staff, including Lumande, the CSM Budget Director, followed by a second meeting with the head of the CSM PS. In the first meeting, the ProJustice finance expert reviewed budget usage (revenue and expenditure) during 2011 to prepare for a likely audit by Parliament in October. ProJustice noted the low rate of budget expenditure at the CSM and courts of Kinshasa, and a lack of data on expenditures in the provinces.

ProJustice noted the following budget management issues:

- A lack of communication between the CSM Sub-funds Manager and the CSM Budget Director, which results in a lack of adequate budget monitoring by the Budget Director.
- A misinterpretation of the law on administrative decentralization, which results in the delegation of the entire judiciary budget to the Ministries of Budget and Finance at the national level. As a result, accurate provincial judiciary budgets have not been included in the estimates, and courts, tribunals, and prosecutors have been excluded from the process of budget execution.

The project provided multiple recommendations to address the above-mentioned budget management issues, including:

- ProJustice will organize an advocacy session to educate judiciary staff on budget processes to ensure that all courts, tribunals, and prosecutors at the national and provincial levels are included in the budget execution process.
- ProJustice will prepare a memo to the CSM advising on how to strengthen mechanisms for the monitoring of budget execution.

Improved and More Transparent Financial and Resource Management Procedures Adopted and Implemented by the CSM and MOJHR

During the past quarter, the Budget Expert delivered equipment necessary for the budgetary management of the jurisdictions in South Kivu, Maniema, and Bandundu. To strengthen the capacity building effort, the project held several working sessions with CSM's focal point on financing. The two officials examined budgetary achievements, and discussed the low rate of budget implementation in the CSM and other judiciary bodies in Kinshasa, and the failure to implement budgetary measures in the provinces. Details of these activities are listed below.

Capacity Building in South Kivu. On July 25, ProJustice delivered equipment for effective fiscal management (computers, financial management software, and printers) to the Bukavu Court of Appeals and Uvira TP. The objective has been to increase the capacity of court personnel responsible for budget management in these two jurisdictions.

National and Provincial Budget Analysis. In August, ProJustice focused on monitoring the implementation of the judiciary budget. The project found that the CSM budget has already been partially spent at the central level. Accurate provincial level spending has been difficult to assess in most provinces.

Central Level Spending

The tables below show the summary of budget expenditures as of June 20, 2011. For some budget line items, actual spending has exceeded planned expenditures, while spending in other line items is below the projected budget. All expenditures are recorded in Congolese Francs (CDF), approximately \$1 = 920CDF

NB: Red is used in the tables to indicate overspent budget lines.

Office of the CSM President

Budget Line	Allocation (CDF)	Current Spending (CDF)	Availability (CDF)	%
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Permanent Staff Salaries	167,781,000	70,819,200	96,961,800	42
Stipends for Non-Permanent Staff	46,622,047	30,871,000	15,751,047	66
Office Supplies	37,637,741	10,000,000	27,637,741	27
Cleaning and Maintenance Supplies	15,986,845	0	15,986,845	0
Expenses and Services to Regularize	11,758,114	17,516,228	- 5,758,114	149
Purchase of Vehicles	60,000,000	48,073,045	11,926,955	80

Office of the State Prosecutor General

Budget Line	Allocation (CDF)	Current Spending (CDF)	Availability (CDF)	%
Permanent Staff Salaries	111,155,000	166,319,928	-55,164,928	150
Stipends for Non-Permanent Staff	26,038,690	10,380,000	15,658,680	40
Expenses and Services to Regularize	11,306,582	22,613,164	-11,306,582	200
Purchase of Vehicles	52,350,000	40,153,137	12,196,863	77

Office of the CSM PS

Budget Line	Allocation (CDF)	Current Spending (CDF)	Availability (CDF)	%
Permanent Staff Salaries	32,374,364,124	7,596,410,397	24,777,953,727	23
Stipends for Non-Permanent Staff	4,637,752,876	2,088,390,858	2,549,362,018	45
Office Supplies	26,188,467	57,192,353	-31,003,886	218
Cleaning and Maintenance Supplies	21,466,000	0	21,466,000	0
Expenses and Services to Regularize	11,175,392	22,350,784	-11,175,392	200
Printing, Photocopying, & Binding	40,500,000	0	40,500,000	0

The above tables show two principal trends:

- Judicial authorities have overspent and miscategorized items in a far too general manner, using headings such as “expenses and services to regularize.” Overspending also occurred with “Permanent Staff Salaries” for the State Prosecutor General and “Office Supplies” at the PS. Authorities likely underestimated actual costs of office supplies. ProJustice will help remedy this problem in the Fiscal Year (FY) 2013 budget, and continue to analyze the reasons for overspending in other areas.
- There is underspending in some line items. If the situation continues, and budget staff are not regularly monitored to ensure spending is actually occurring, or that funds are not being diverted, the judiciary is likely to remain dependent on litigants and/or donors for costs such as printing and document reproduction. To resolve this issue, ProJustice will work closely with the management of these bodies to standardize purchasing in these areas.

Provincial Level Spending

There is a lack of information on provincial level spending because the staff responsible for budget management often do not analyze or communicate court spending patterns. ProJustice has determined that the courts, tribunals, and prosecution offices do not receive regular or adequate funds from the central government. This is shown by the lack of budget allocations for the provinces in the FY12 budget prepared by the Ministry of Budget. Only allocations at the central level (Kinshasa) are included.

Budget managers and heads of courts and offices in the provinces have also told ProJustice staff that they do not regularly receive funds from the central government. In some provinces, the heads of courts and offices receive a monthly grant of CDF 750,000 from the provincial

government through the MOJHR. A budget increase occurred for the payment of magistrate and non-magistrate personnel at the provincial level, based on information received at the Bandundu Court of Appeals.

Conclusion and Recommendations

The government has made considerable progress in budget management within the judiciary, but significant work remains to improve budget forecasting. That includes estimates in the general budget of the state, budgeting at the provincial level, and budget implementation.

To address these problems, ProJustice will intensify advocacy work for the judiciary to support implementation of the approved budget (for all approved spending). A seminar on transparency will also be organized for budget managers, heads of courts, and offices to improve financial reporting skills and ensure that all financial resources available to courts are spent appropriately and timely, according to forecasted line items.

Provision of Budget Management Tools. In September, ProJustice delivered budget management equipment including one computer and one printer to modernize budget management in the following sites:

- Bandundu Province Appeals Court
- Maniema Province Appeals Court
- Bandundu Prosecutor General's Office
- Kindu TP.

1.3 COMPONENT 3: MORE EFFECTIVE, TRANSPARENT, AND ACCESSIBLE COURT OPERATIONS IN PILOT JURISDICTIONS

1.3.1 Component 3A. Enhance the Effectiveness and Transparency of Court Management Practices

More Streamlined and Transparent Court Management Procedures and Regulations Established and Implemented in Pilot Courts, Including Budgeting, Financial and Resource Management, Court Management, and Public Outreach

New File Classification System. The classification of court files is critical to the efficient operation of the courts, as the files record the progress of cases through the justice system. It is vital that these records be available, easily accessible, maintained, and secured. More importantly, the management of criminal cases requires a deliberate and systematic monitoring of files to ensure that cases advance through the judicial process in the shortest possible time. Excessive delay results in memory loss of witnesses, absence or refusal of witnesses to appear, disappearance or misplacement of evidence, and prolonged pretrial detention of accused persons who may eventually be exonerated. Both victims and the public lose faith in the justice system if management of cases is not handled efficiently.

In the DRC, offices of court registrars and prosecutors' secretaries are understaffed; personnel are ill-trained and ill-equipped, working in cramped, poorly lit, and under-ventilated file rooms. Their registers are inaccurate because of poor maintenance, and file folders and shelves are in short supply or poor state of repair. Files are frequently lost, susceptible to theft or tampering, and

incomplete. In these conditions cases are selected for trial without the possibility of screening important cases to ensure their early disposition.

Kindu. ProJustice supported the archiving and processing of case files in the pilot courts at the Kindu TGI between July and September. The file organizing process places current criminal cases into new folders made available to the courts. A total of 740 cases were re-filed, and 300 cases processed. The table below shows the number of files archived and processed.

Bukavu. During the same period in Bukavu, ProJustice also supported the archiving and processing of case files. A total of 3,415 cases were re-filed, and 710 archived files processed. The results are as follows:

Court	Month	Number of Case Files Archived	Number of Case Files Reorganized
Bukavu Court of Appeals	July-Aug. 2011	956	200
Bukavu TGI	Aug.-Sept. 2011	2,459	400
Uvira TP	July 2011	0	110

Bandundu. In Bandundu, ProJustice set up a program archiving court records in the Court of Appeals and Prosecutor General's Office, as well as in the courts of Bagata. A total of 4,427 files were archived. The results of the archiving program are as follows:

Court	Month	Number of Case Files Archived
Bandundu Court of Appeals	July-Aug. 2011	673 (252 with criminal clerk's office, 247 filed with civil clerk's office, 144 with labor clerk's office, 30 with administrative clerk's office)
Bandundu General Prosecutor's Office	July 2011	1,107
Bandundu TGI	July 2011	764
Bandundu General Prosecutor's Office	July 2011	1,950
Bagata TP	Aug. 2011	433 (246 with criminal clerk's office, 141 with civil clerk's office, 46 with Registrar of the TP)

Lubumbashi. ProJustice expanded the archive room of the Lubumbashi courthouse to allow for the archiving of case files improperly filed in the courts. ProJustice also provided eight shelves to the courts in Lubumbashi.

In Lubumbashi, staff ordered the fabrication of the court's information kiosk, scheduled for completion on October 1, 2011. In preparation for this, ProJustice held a training session from September 12-14, 2011 for the 16 volunteer/representatives (10 men, 6 women) of the community's justice-related NGOs. The President of the Appellate Court, the President of the Youth Court, a Prosecutor's representative, an Appellate Court Registrar, and the Principal Secretary of the Prosecutor General's office also attended the sessions.

Pilot Site Program Action Plan Committees. ProJustice's approach to improving the administration in the four pilot court jurisdictions is one of community development and partnership. For the pilot courts to succeed in their goals, all stakeholders must collaborate. The various levels of courts and prosecutor's offices, however, function independently of one another in all jurisdictions. Autocratic values as part of a hierarchical system and the lack of resources to support attendance at regular meetings leads to poor communication, disparate priority setting, lack of collaboration, and the absence of unified goals. Lawyers and justice-based CSOs are most often excluded from judicial operations and thus have little input into the system's management. Another problem is that most heads of jurisdiction (e.g., prosecutors general) lack the managerial skills to run integrated and democratic meetings.

To ameliorate the situation, the project initiated regular planning meetings with all stakeholders. The Pilot Court Coordinators (PCCs) facilitate meetings by setting agendas, booking meeting facilities, scheduling meetings, providing financial support for attendance, managing the meetings, and ensuring that minutes are taken, distributed, approved, and followed up on. During this past quarter, seven meetings took place, as indicated in the table below:

Site	Date	Beneficiaries	Participation	
			Men	Women
Bandundu	- July 15, 2011 - Aug. 22, 2011	Magistrates, clerks, prosecutors' secretaries	30 (16 in July, 14 in Aug.)	0
Bukavu	- July 25, 2011	Magistrates, clerks, prosecutors' secretaries	10	0
Kindu	- July 21, 2011 - Sept. 1, 2011	Magistrates, clerks, prosecutors' secretaries	29 (14 in July and 15 in Sept.)	1 (0 in July and 1 in Sept.)
Lubumbashi	- July 25, 2011 - Sept. 9, 2011	Magistrates, clerks, prosecutors' secretaries	21 (12 in July and 9 in Sept.)	2 (1 in July and 1 in Sept.)

Participants discussed numerous topics during the meetings, including:

- Reducing the backlog of cases
- A summary of recent workshops supported by the project concerning the backlog of cases and delay-reduction strategies
- Conclusions and recommendations related to the review of 145 case registers used in the various courts

- Presentation of a case file management table to improve case registries within the pilot courts.

Monthly Basic Supplies to Pilot Courts. The availability of basic supplies such as paper, folders, and pens is critical to the functioning of the courts and judicial offices. The MOJHR provides none of these supplies. The courts and offices have requested supplies from international organizations or purchased them using the fees they collect from justice services. Such sources are inadequate. Supplies provided are minimal and irregular, and when funds or supplies are obtained they are regularly pilfered by the receiver.

To address the issue, ProJustice is now supplying \$300 worth of paper and pens to the courts and offices in each jurisdiction. The PCCs purchase the supplies and distribute them directly to each of the offices to ensure the funds are spent only on supplies, and that the supplies arrive where intended. The amount of supplies is sufficient to sustain operations at a basic level each month. The project is currently trying to obtain a budget commitment from the Congolese Government to eventually provide adequate supplies. Component 3's activity of providing supplies is a stopgap measure that should become redundant with the passing of a new judiciary budget.

During this quarter, ProJustice provided monthly basic office supplies to all jurisdictions and pilot courts, totaling \$3,600 (\$300/site = \$1,200 per month).

Internet Access. In each of ProJustice's pilot provinces, information technology lags far behind the basic standards of global connectivity. Prior to ProJustice's participation, there were no computers at the courthouses and connectivity to the internet was nonexistent. The project has provided laptops to key personnel, but many changes must occur before it will be possible to realize the potential of technology use in the Congolese justice system. Experience with e-mail and databases on the web will lay the groundwork for further interest in and motivation for the implementation of future technology innovations.

During this quarter, ProJustice provided financial support for the installation of internet service at the Bukavu courthouse. On September 7, 2011 the Bukavu courts celebrated internet installation with a ceremony presided over by the First President and attended by magistrates and representatives of the South Kivu judiciary community. Wireless internet access is now providing connectivity to 30 offices at the courthouse, thus enhancing the ability to conduct legal research and use e-mail.

Reduction in Average Time from Case Filing to Disposition for Minor Cases without a Corresponding Increase in Time for Major Cases

Congolese criminal laws, outdated and out of sync with the country's current conditions, remain a consistent cause of judicial delay. Existing laws stem from the Belgian colonial era and were based on an infrastructure that could sustain them. The current infrastructure is in disrepair and efficiency is encumbered by complex legal requirements that hinder the efficient handling of criminal cases. There is likely to be little immediate progress on the part of the government to improve the infrastructure or to undertake a review of its own criminal laws. As such, the project is supporting the MOJHR and the government in the process of creating legal amendments that will eliminate the problems referenced above.

Inspection of Detention Centers. Under Congolese law, governance of detention centers is the responsibility of the prosecuting magistrates of the TGI. Detention centers typically contain 5 to 30 individuals, and are operated by the Judicial Police, the Maritime Police, prosecutors' offices,

and provincial prisons. A province normally has several detention centers within its territory, most in relative proximity to the provincial courthouses. Local police provide security, at times supported by trusted detainees.

Any police authority has the power to place a person in detention. Such authorities have little legal training, and often exercise authority on a whim, without cause. Once detained, a detainee is subject to rules of which neither they, nor the arresting personnel, have significant understanding.

Prosecutors are legally bound to inspect detention centers regularly to ensure due process and respect for the legal rights of detainees. The required inspections occur infrequently, however, primarily because of lack of transportation for the inspecting magistrates and their administrative assistants. Without such inspections, detainees may languish in deplorable conditions (without food, sanitary facilities, privacy, or medical care) for months while being held illegally or unnecessarily. During detention, victims of crime and witnesses to the events may not be served, or may disappear altogether. Detainees who are guilty of their charges may be illegally released following the payment of a bribe.

To remedy the situation, ProJustice PCCs provide funds for transportation as well as a meal for the inspection team. PCCs also provide administrative assistance by including recommendations for improving the collection of relevant information on these inspections.

During this past quarter, the project supported 153 detention center inspections: 84 in Bandundu; 11 in Bukavu; 34 in Kindu; and 24 in Lubumbashi. Details of the inspections appear in the tables below. Note that totals in the case and disposition tables do not necessarily match the number of detainees, as some detainees were charged with multiple counts or multiple offenses, and in some cases, detainees have been erroneously held on grounds that are not even considered legal infractions.

Inspections in July

Details of detainee numbers and cases processed during detention center inspections, July:

Category		Number of cases	Number of cases	Number of cases	Number of cases
		Bandundu	Bukavu	Lubumbashi	Kindu
Number of cases reviewed	Men	23	56	55	44
	Women	6	3	5	8
	Girls				
	Boys		6	3	18
	Elderly				
Number of cases transferred to Prosecutor's Office	Men	2	19	18	13
	Women			2	3
	Girls				
	Boys				13
	Elderly				
Number of cases with detention confirmed	Men	4	15	7	30
	Women	1			3
	Girls				
	Boys				

	Elderly				
Number of cases released unconditionally	Men	2	26	19	1
	Women		5	1	2
	Girls				5
	Boys				
	Elderly				
Number of cases of sexual violence	Men	2	2	2	13
	Women				
	Girls				
	Boys				
	Elderly				
Number of cases held under provisional warrant	Men	16		14	
	Women	4		2	
	Girls				
	Boys				
	Elderly				

Number of Cases and Dispositions by Detention Center Inspections, July 2011

Category	Bandundu	Bukavu	Kindu	Lubumbashi
Abortion	1			
Assault/Intentional bodily harm	3	6	18	8
Breach of trust	4	9	21	9
Child abandonment		1		
Contempt of public authority				2
Defamation	3			2
Destruction of property		2		3
Homicide		1		
Driving under the influence		1		
Extortion				2
Public drunkenness		1		
Public insult	3	4	9	3
Rape	2	4	13	2
Real estate fraud				2
Receiving stolen goods	2	2		3
Swindling		5		1
Theft	9	36	9	25
Threatening	2	1		1

Inspections in August
Details of detainee numbers and cases processed during detention center inspections, August

Category		Number of cases				TOTAL
		Bandundu	Bukavu	Kindu	Lubumbashi	
Number of cases reviewed	Men	23	44	43	92	202
	Women	4	2	11	8	25
	Girls	1			-	1
	Boys	-	4	4	1	9
	Elderly	-			-	0
Number of cases transferred to Prosecutor's Office	Men	5	10	28	28	71
	Women	-			1	1
	Girls	-			-	0
	Boys	-	2	2	-	4
	Elderly	-			-	0
Number of cases with detention confirmed	Men	5	29	30	5	69
	Women	2	2	3	-	7
	Girls	-			-	0
	Boys	-			-	0
	Elderly	-			-	0
Number of cases released unconditionally	Men	3	11	11	26	51
	Women	1		2	3	6
	Girls	1			-	1

	Boys	-	2		-	2
	Elderly	-			-	0
Number of cases of sexual violence	Men	1			4	5
	Women	-			-	0
	Girls	-			-	0
	Boys	-			-	0
	Elderly	-			-	0
Number of cases held under provisional warrant	Men	10			40	50
	Women	1			6	7
	Girls	-			-	0
	Boys	-			1	1
	Elderly	-			-	0

Number of Cases and Dispositions by Detention Center Inspections, August 2011

Category	Number of cases				
	Bandundu	Bukavu	Kindu	Lubumbashi	Total
Bodily Harm	4	8	3	35	50
Breach of Trust	3	8	2	9	22
Contempt of Public Authority				4	4
Desertion		1			1
Destruction of Property		6	1	7	14
Driving Under the Influence				3	3
Failure to Pay for Meal		2			2
Homicide			2		2
Other (e.g. Failure to Pay Debt, Public Drunkenness, etc.)					24
Purchase of Stolen Goods		2			2
Rape	1	1	1	4	7
Real Estate Fraud			1	2	3
Rebellion				1	1
Sale of Stolen Goods			1		1
Slander	5	2	5		12
Theft	10	25	14	12	61
Threatening	2		2	5	9
Trespassing		1		1	2
Unlawful Ownership of Land		3			3

Inspections in September
Details of detainee numbers and cases processed during detention center inspections, September

Category		Number of cases			
		Bandundu	Bukavu	Lubumbashi	Kindu
Number of cases reviewed	Men	10	95	55	42
	Women	0	3	5	10
	Girls	0		0	

	Boys	0	7	3	4
	Elderly	0		0	
Number of cases transferred to Prosecutor's Office	Men	2	19	18	22
	Women	0		2	3
	Girls	0		0	
	Boys	0	7	0	
	Elderly	0		0	
Number of cases with detention confirmed	Men	0	51	7	15
	Women	0	1	0	3
	Girls	0		0	
	Boys	0		0	
	Elderly	0	2	0	
Number of cases with detainee released unconditionally	Men	0	23	19	5
	Women	0	2	1	4
	Girls	0		0	4
	Boys	0		0	
	Elderly	0		0	
Number of cases of sexual violence	Men	0	1	2	
	Women	0		0	
	Girls	0		0	
	Boys	0	1	0	
	Elderly	0		0	
Number of cases with detainee held under provisional warrant	Men	8		14	
	Women	0		2	
	Girls	0		0	
	Boys	0		0	
	Elderly	0		0	

Number of Cases and Dispositions by Detention Center Inspections, September 2011

	Number of cases				
Charges	Bandundu	Bukavu	Kindu	Lubumbashi	Total
Armed Robbery	0	2	3	0	5
Arson	0	0	1	0	1
Associating With Criminals	0	1	6	0	7
Attempted Rape	0	0	3	0	3
Attempted Robbery	0	0	0	0	0
Breach Of Trust, Fraud	1	18	11	12	42
Concealing And Handling Stolen Goods	1	1	1	3	6
Contempt of Public Authority	0	0	0	2	2
Counterfeiting	0	1	11	0	12
Death Threat	0	0	1	0	1

Destruction Of Property	0	3	0	3	6
Extortion With Theft	0	31	6	22	59
Forgery	0	3	0	0	3
Grievous Assault	0	2	3	0	5
Homicide	0	0	2	0	2
Identity Theft	0	1	2	0	3
Illegal Occupation Of Land	2	0	0	0	2
Involuntary Manslaughter	0	1	0	0	1
Minor Assault	4	2	3	8	17
Moving Property Boundaries	0	2	0	0	2
Rape	0	2	0	2	4
Robbery	0	28	0	5	33
Slander	2	4	0	5	11
Theft Of Land	0	0	2	0	2
Threat Of Treason	0	3	0	0	3
Unlawful Confinement / Kidnapping	0	6	0	0	6
Unlawfully At Large	0	0	1	0	1
Verbal Threat	0	3	0	1	4
TOTAL	10	114	56	63	243

Supporting Process Servers. In civil and criminal matters, parties to court proceedings must be served notices of trial if they are legally required to appear. In the DRC today, criminal trials frequently do not proceed because the parties (accused, victims, and witnesses) are not served notice. Process servers working for court registrars are not provided with the means by the MOJHR to pay for process service or transportation (fuel for vehicles or public transport fares). Given the size of the provinces and poor road conditions, the territory to be covered by a process server may be vast and travel may be difficult. Without transportation and reasonable compensation, process servers, understandably, do not serve the required documents.

To alleviate this problem, the ProJustice PCCs have begun screening court files to locate cases delayed because documents have not been served. If it appears likely that the cases will be moved to judgment as a result of the efficient serving of documents, the PCCs will provide funds to process servers to do their work.

Over the past quarter, ProJustice supported 470 court cases, as indicated by site in the table below:

Site	Number of Cases
Bandundu	144
Bukavu	168
Kindu	86
Lubumbashi	72
Total	470

1.3.3 Component 3B. Enhance the Accessibility of Pilot Courts

Reduction in Average Cost to Citizens of Minor Cases in Pilot Jurisdictions

The majority of the Congolese population is extremely poor, with few resources to pay for legal assistance. Most individuals do not know how to stay informed on the status of their cases. Judicial personnel often exploit this lack of knowledge as a means of extorting money from victims, often charging fees that differ substantially from actual mandated fees. The high cost of bribes and payoffs makes victims reluctant to pursue cases through the court system. To address the problem, ProJustice has begun to construct information kiosks staffed by local volunteers that will offer information regarding necessary steps in the legal process, as well as the actual costs for judicial services. By doing so, information will be more readily available to all Congolese, thus eliminating the potential for corruption and extortion. The construction of kiosks is currently under way in two sites, Lubumbashi and Kindu.

Lubumbashi. In July, ProJustice helped establish a steering group of NGO representatives in Lubumbashi to oversee volunteer staffing of the information kiosk at the courthouse. The group selected four men and two women among the NGO representatives and magistrates to provide three days of training to volunteers who will work in the information kiosks. Two magistrates, one from the court and one from the Prosecutor General's office, were among the trainers.

In August, ProJustice selected a vendor to construct the new information kiosk, while a local committee began the recruitment of volunteers and training for their services.

In September, Lubumbashi, staff ordered the construction of the court's information kiosk, scheduled for completion in October 2011. In preparation, ProJustice held a training session for 16 volunteer/representatives (10 men, 6 women) from the community's justice-related NGOs from September 12-14, 2011. A President of the Appellate Court, the President of the Youth Court, a Prosecutor's Representative, an Appellate Court Registrar, and the Principal Secretary of the Prosecutor General's office also attended the sessions.

Kindu. In Kindu, on July 21, 2011, 14 members of the coordination committee held a meeting to discuss a new courthouse information kiosk.

In August, ProJustice staff contacted local CSO representatives to provide volunteers for the Kindu information/reception kiosk. Representatives included members of Hakiza Binadamu (a local NGO), Action for the Promotion and Defense of Disabled Persons, the Association of Women Lawyers, the American Bar Association, United Nations Stabilization Mission, and other organizations.

On September 23, 2011, the Kindu PCC held a planning meeting with representatives from NGOs working in the justice sector to help establish a cadre of volunteers to staff the information kiosk to be installed at the courthouse. The information kiosk will help provide information to the public on court services and is scheduled for completion in November.

Increased Number of Cases Involving Vulnerable Populations (Women, Children, Indigent) Resolved Through the Justice System in Targeted Jurisdictions, Including Outside the Provincial Capitals

Given their low priority within Congolese society, vulnerable populations (i.e. children, victims of sexual violence, etc.) are regularly marginalized in the judicial system. During this quarter, 83 cases of children in conflict with the law were processed in Kindu and Bukavu, of which 27 were closed. An additional 76 cases of sexual violence were processed, and 18 closed.

Mobile Court Sessions. The pilot courts supported by ProJustice have jurisdiction over vast territories of DRC, with main courthouses located in the provincial capitals and smaller satellite locations hosting TPs in remote locations. Roads to rural areas are often impassable or nonexistent, requiring travel by air, all-terrain vehicle, and/or river. It is difficult for court personnel, parties, and witnesses to get from rural locations to provincial courthouses. The mobile court sessions are critical for providing access to justice and moving backlogged cases to judgment and closure.

The costs for mobile courts are significant, however. The average cost for 15 days of mobile court sessions can exceed \$8,000, including transportation, per diems, lodging, and facilities for up to 10 members of a court party. ProJustice has developed sound business practices for the management of mobile court hearings, focusing on the costs and benefits. Bringing the practices and priorities of the mobile courts to the attention of the judiciary's leaders consolidates these gains and ensures renewed efforts where they are needed. Without the assistance of ProJustice, mobile courts would not exist, as the MOJHR provides no funding for such sessions. ProJustice PCCs assist with the preparations, negotiations, and coordination for mobile court hearings, and in many cases, directly manage activities on site. Details of mobile court sessions held during the reporting period appear in the following paragraphs.

During the past quarter, ProJustice supported 312 cases in public hearings in central prisons at 54 mobile court sessions in each of the four sites (Bandundu -6, Bukavu- 24, Kindu- 18, Lubumbashi- 6). The results are as follows:

Site	Court of Appeals		First Instance Court (TGI)		Peace Court	
	Cases Processed	Cases Closed	Cases Processed	Cases Closed	Cases Processed	Cases Closed
Bandundu	0	0	42	17	0	0
Bukavu	0	0	122	45	0	0
Kindu	0	0	115	46	0	0
Lubumbashi	10	0	23	21	0	0
TOTAL	10	0	302	129	0	0

1.4 COMPONENT 4: INCREASED ACCESS TO JUSTICE FOR VULNERABLE POPULATIONS

1.4.1 Component 4A. Capacity Building Assistance to Civil Society for Access to Justice Activities

Civil Society (including NGOs, Bar Associations and/or Law Faculties) Capacity for Legal Aid and Awareness-raising Strengthened

Access to Justice Guide. In 2010 ProJustice prepared and distributed the *Practical Guide to Access to Justice in the Democratic Republic of Congo*. The project produced the guide to facilitate access to justice for vulnerable populations by improving the ability of CSOs and judicial personnel to effectively provide services to populations who would otherwise be unaware of their rights. Lack of knowledge about these rights and the basic functions of judicial institutions is one of the primary limitations to accessing justice in the DRC.

From September 12-14, 2011, ProJustice conducted a training workshop on the information kiosks in Lubumbashi for CSO leaders. During the workshop, four copies of the guide were distributed to the leaders to help them in their work.

Technical Assistance to CSOs. CSOs working in the field of human rights and judicial advocacy play an essential role in providing counseling, guidance, and assistance to vulnerable populations. While their efforts have been helpful, they require a great deal of institutional, financial, and technical support to translate their activities into effective work on the ground. In addition to awarding small grants to CSOs, ProJustice also provides technical assistance to help them do their job more efficiently while strengthening capacity. Regular monitoring and evaluation of partner projects allows ProJustice to ensure the effectiveness of activities for the targeted populations.

ProJustice provided technical and financial support through its grant program to the Bukavu Bar Association for the organization of a workshop on capacity building for young lawyers which took place from September 19-20, 2011. The workshop allowed the lawyers, who play an active role at the free legal consultation center, to receive training and information on legal aid for vulnerable people in accordance with fair trial standards. As part of the same workshop, the project also hosted a presentation on comparative differences between legal aid in French, German, Italian, English, and American systems, leading to discussions among participants as to how to improve the Congolese system. The Tt DPK Global Law and Development Fellow provided key research for the comparative legal aid study.

The project provided technical assistance to the law faculty of Bukavu Catholic University in connection with establishment of a legal clinic within the university. The project conducted a meeting at the university on September 20, 2011 to discuss the plans for the legal clinic. The ProJustice delegation, composed of Justin Ntakobajira (Component 4 Leader) and Jean Bosco Habibu (ProJustice Office/Program Manager, Bukavu), met with Paul Robain Namegabe (Law School Dean), Jean Claude Mubalama (Professor), Wenceslas Busane (Professor), Paterné Murhula (Assistant), Trésor Maheshe (Assistant), Justin Mastaki (Assistant), Adolphe Kilomba (Assistant), and Pacifique Magaju (Assistant).

The faculty presented the objectives of the legal clinic, specifying that it would be a tool to disseminate legal knowledge among the population, organize mediation, and provide legal and judicial assistance to vulnerable persons. Students and assistants would run the clinic. ProJustice emphasized the importance of such a legal clinic for increasing access to justice. The delegation discussed the methodology for incorporating the legal clinic in the university's academic curriculum, the student and case selection process, the organization of the clinic's activities, and the budget. ProJustice developed and communicated recommendations to the university in a document attached. The faculty stated its appreciation for ProJustice's support, and committed to submitting a proposal in the near future. This activity is included in ProJustice's annual work plan.

Open-House Days in Pilot Courts. The Congolese population is largely unaware of the organization and function of the judicial system in DRC, the role of court personnel, and the various judicial services available to them. This lack of knowledge leads to reluctance in seeking judicial relief for issues that would be most effectively resolved in a legal setting. To address the problem, the project is now supporting Open Houses in pilot court facilities, thus providing the public with an opportunity to seek answers to their questions and learn more about the services available to them.

In Kindu, the TGI sent a request for support to ProJustice for the organization of Open Houses. In response, the project has scheduled Open Houses which will be held after the completion of rehabilitation work at the courthouse and the construction of an information kiosk.

1.4.2 Component 4B. Sub-grants to CSOs

Increased Number of Cases of Vulnerable Populations Resolved Through the Justice System



A trainer funded by a ProJustice grant conducting a mass-awareness session using the ProJustice pictorial flip chart, Kindu, July 2011

Grants Awarded during the Second Grants Cycle.

ProJustice awards small grants to CSOs based in each of the pilot sites, to help them to organize awareness programs, civic education, advocacy strategies, and more. The grants program provides an opportunity for the organizations to build their capacity while simultaneously implementing key ProJustice activities. The project requires all CSOs selected for funding to sign a grant agreement prior to beginning activities as a means of ensuring compliance with the project goals, regulations, and expectations. Following approval of the grants by USAID, partners implement their activities under the supervision of ProJustice staff, who conduct regular monitoring visits.

ProJustice did not award any new grants during the reporting period because the second grants cycle has nearly ended and the selected sub-grantees are continuing to implement scheduled activities on the ground. Note that in some cases grantees continued to implement activities beyond the scheduled grant closure date due to delayed results but with direct approval from ProJustice to continue activities.

On August 10, 2011, ProJustice published its Annual Program Statement (APS) for both Kinshasa and the pilot sites on *Mediacongo.net* for the 3rd annual grants cycle. The APS contained details about purpose and objectives of the ProJustice Grants Program, grants budget, size of grants, geographic coverage and timeline, eligibility criteria, types of projects, and information useful for the application process. ProJustice also distributed the APS to CSOs registered during the CSO Mapping of November 2010. As of this writing, ProJustice is reviewing proposals submitted by CSOs from Bukavu and Uvira, and anticipates making final selections of grantees during the next reporting period.

Monitoring and Evaluation of Sub-grants Program. Establishing a rigorous set of monitoring and evaluation standards is an essential part of ProJustice's strategy when working with sub-grantees. Monitoring is conducted at the field level by sub-office staff and by Kinshasa-based personnel to ensure that errors, fraud, or other difficulties do not arise or, if they do, that they are handled swiftly. Sub-grantees are subject to both scheduled and unscheduled monitoring visits by the ProJustice grants team, providing ProJustice the opportunity to review the activities of each grantee, verify project documents, discuss potential issues directly with project staff, and strengthen capacity where needed. During the reporting period, ProJustice organized the following monitoring and evaluation activities:

- From July 18–22, 2011, Philippe Luanghy, ProJustice Grants Finance Assistant, conducted an evaluation visit of Maniema-based CSOs (*Réseau d'Associations pour la Protection et la Promotion de l'Enfance au Maniema* (Network of Associations for the Protection and Promotion of Children in Maniema (RAPPE)) and *Collectif des Associations des Femmes Musulmanes pour le Développement du Maniema* (Collective of Associations of Muslim Women for the Development of Maniema (CFMUDEMA)).
- From July 21–22, 2011, Liliane Ankwarpen, Grants Manager, conducted monitoring and mid-term evaluations of activities and results achieved in relation to objectives of *La Ligue pour les Droits de la Femme Congolaise* (League for the Rights of Congolese Women (LDFC)) in Kinshasa.
- From September 13–16, 2011 and September 17–21, 2011, Philippe Luanghy conducted respectively monitoring and evaluation field visits of Bandundu Ville (*Centre Pour la Promotion Sociale et Communautaire* (Centre for Welfare and Community (CEPROSOC)), *Association Étudiants Auditeurs Radio Okapi* (Student Association of Radio Okapi Listeners (ASEARO)), and *Promotion de la Santé des Droits de la Femme et Enfants* (Promotion of the Health of Women's and Children's Rights (PROSADEF)), and Kindu (CFMUDEMA and RAPPE)-based CSOs.
- From September 16–23, 2011, Justin Ntakobajira, Component 4 Leader, conducted monitoring and evaluation field visits of Bukavu-based CSOs (Bukavu Bar Association and *SOS Information Juridique Multisectorielle* (SOS Multi-Sectoral Legal Information (SOS-IJM)).

Grantees' Activities Providing Legal Assistance to Vulnerable Populations

Katanga

Diocesan Commission for Justice and Peace, Kalemie (CDJP)

(Grant Period: January 1–August 1, 2011)

- **July**
 - The TGI delivered verdicts in two cases that had been supported by CDJP during this period (case #RP0210 and RP1018). Both cases related to rape, with one of the cases including an additional charge of extortion.
 - The CDJP monitored the judicial system in the territories of Kalemie, Nyunzu, Kabalo, Manono, and Kongolo. The task consisted of monitoring the functioning of the judiciary system in the attempt to propose solutions to problems identified. ProJustice is currently awaiting the final report from CDJP.
- **August**
 - During the month of August, CDJP provided judicial assistance in two cases of sexual violence before the Public Prosecutor of Kalemie.
- **September**
 - Two victims of sexual violence received copies of judgments in their favor (RP 0216, RP 0218).

Lubumbashi Bar Association

(Grant Period: January 1–July 1, 2011)

- **July**
 - The Lubumbashi Bar Association held free consultations on July 10, 2011 in seven districts of Lubumbashi (Ruashi, Kampemba, Lubumbashi, Kamalondo, Kenya, Katuba, and Kasapa Prison). Bar lawyers provided legal advice to 137 indigents (120 men, 17 women).
- **September**
 - Twenty-two people (14 men, 8 women) benefited from free legal assistance provided by the Bar Association.
 - The organization supported four cases from Likasi which involved manslaughter, murder, and embezzlement. Three are awaiting judgment after examination by the judge, while one case was postponed until December 14, 2011.

South-Kivu

Fondation Monseigneur Emmanuel Kataliko (Monsignor Emmanuel Kataliko Foundation

(FOMEKA), Uvira

(Grant Period: August 1, 2010–May 1, 2011)

NB: Although the grant period for FOMEKA ended in May, not all activities were completed.

ProJustice and FOMEKA agreed that the organization would complete outstanding activities in June/July 2011.

- **July**
 - FOMEKA provided legal assistance for four indigent clients (three women, one man) in Luvungi and Uvira from June 28–July 26, 2011.
 - The organization also provided legal assistance to 11 people (9 women, 2 men) for seven cases of sexual violence, two land dispute cases, and two gender-based violence cases. Of these, five cases are in progress at the TGI and six are at the TP.

Caritas/Uvira

(Grant Period: August 1, 2010–May 1, 2011)

- **July**
 - Grant ended as of July 1, 2011

SOS-IJM

(Grant Period: October 1, 2010–August 31, 2011)

- **July**
 - SOS-IJM sent nine cases to the organization's lawyer for filing with the prosecution and the court. As of this writing, 12 cases filed by the organization are pending in court, and two judgments have been rendered.
 - The clinic also provided legal assistance in an additional 26 cases (17 women, 9 men).
- **August**
 - SOS-IJM supported 12 pending cases. The SOS-IJM legal clinic also assisted in 34 different cases (20 men, 14 women) of sexual violence, land disputes, and theft.
- **September**
 - Twelve cases supported by the organization have been transmitted to counsel to be registered in the Public Prosecution Office, in court, and in the central prison. The cases involve rape and battery.
 - Forty-three victims (27 men, 16 women), including sexual violence victims, reported to the clinic for legal counseling.

Bukavu Bar Association

(Grant Period: September 1, 2010–August 31, 2011)

- **July**
 - The Bar Association provided legal assistance in 14 cases (involving 13 men and 1 woman) at the Bukavu Court of Appeals. The cases were later filed with the court and involved charges including theft, land conflict, assault, and sexual violence.
- **August**
 - The Bukavu Bar Association assisted in the registration of 29 cases at the Bukavu Court of Appeals and TGI. One case is currently awaiting judgment while in another, final judgment has been rendered.
- **September**
 - Courts have heard 92 cases supported by the Bar Association. One case has been decided, while another is awaiting judgment following deliberation. Ninety cases are still pending.

Maniema***RAPPE***

(Grant Period: March 1 –August 31, 2011):

- **August**
 - In August, RAPPE's consultant-lawyer supported 10 juvenile cases before the Kindu TGI.
- **September**
 - RAPPE provided legal assistance in 20 juvenile cases. Six are currently awaiting judgment after deliberation, and 14 are being monitored by the consultant-lawyer at the Kindu TGI.

Bandundu
CEPROSOC

(Grant Period: December 1, 2010–August 31, 2011)

- **July**
 - CEPROSOC provided support in three cases during the reporting period. Of these, the court dismissed one case (RP 5052), as the parties are not within the jurisdiction of the court.
 - The organization provided legal assistance to 16 people (12 men, 4 women) who visited the clinic for consultations and to learn about services offered. As a result of the clinics, one case was subsequently transferred to the Prosecutor's Office.
 - CEPROSOC also reported that students in the Faculty of Law at the University of Bandundu regularly visit the clinic to participate in daily activities and use the data from the organization to write their theses.
- **August**
 - The Bandundu TGI registered eight cases. In one the court has already issued an interlocutory judgment, three have received a final judgment, and four are pending. The cases supported by CEPROSOC generally involve rape and sexual violence, theft, and land-related conflicts.
- **September**
 - The Bandundu TGI examined two cases supported by the organization (RP7250- Arson and RP7266- Battery) on September 15, 2011.
 - Hearings were scheduled for September 29, 2011 for two pending cases (RP7166- Rape and RP7202- Embezzlement). The hearings were postponed to October 12, 2011.

ASEARO-PROSADEF

(Grant Period: December 1, 2010–August 31, 2011)

- **July**
 - On July 22, 2011, ASEARO organized data collection on sexual violence cases at the Bandundu TGI, Prosecutor's Office, and central prison. The organization reported 42 cases at the central prison, 30 cases at the TGI, two cases at the Juvenile Mobile Court, and two cases at the military tribunal alleging cruel and degrading treatment.
- **August**
 - During August, ASEARO-PROSADEF provided legal assistance in three cases (two men, one woman) involving sexual violence and human rights violations. As of this writing, the organization's lawyer is examining the cases to determine whether there are sufficient grounds to proceed with registration at the court level.

Greater Public Awareness of Legal Rights and the Role of the Justice System**Katanga**

Lubumbashi Bar Association

(Grant Period: January 1–July 1, 2011)

- **July**
 - Grant closed on July 1, 2011

CDJP

(Grant Period: January 1–August 1, 2011)

- **July**

- CDJP organized five awareness-raising sessions on the issue of sexual violence in the communities of Kabalo, Kongolo, Manono, Nyunzu, and Kabimba from June 28- July 28, 2011. At the time of the sessions, attendance and gender breakdowns were not recorded.
- **August**
 - CDJP finalized their judicial system monitoring program. The program involves monitoring court case processes and detentions. Data obtained is being compiled and will be inserted in an activities report that is currently in progress.
 - From August 4-5, 2011, the CDJP held three sensitization sessions in the town of Moba on sexual violence for 135 community leaders (all men).
- **September**
 - During the reporting period, CDJP finalized a monitoring report on the functioning of justice in the DRC (see Attachment 2).

Women's Dynamic for the Development of Congo (Dynamique Femme Pour le Développement du Congo (DFDC))

(Grant Period: March 1–August 31, 2011)

- **July**
 - DFDC conducted two training workshops on the access to justice pictorial flip chart in the communities of Kasumbalesa and Kipushi from July 18-20 and July 23-25, 2011, respectively, for a total of 50 participants (all women) at both sites.
 - From July 21-23, 2011, the organization trained 25 facilitators in Kasenga on the use of the above-mentioned flip chart. Following the training, 12 couples who had participated in the sessions and learned about the risks of non-registered marriage registered for legal marriage at the civil status registrar's office.
- **August**
 - In Kasenga, from August 14-16, DFDC organized a workshop on the anti-sexual violence pictorial flip chart training tool, for a total of 64 moderators (45 women, 19 men).
- **September**
 - DFDC worked in September to compile reports on awareness-raising sessions involving the anti-sexual violence pictorial flip chart and continued drafting their final report.

South Kivu

FOMEKA

(Grant Period: August 1, 2010–May 1, 2011)

- **July**
 - Grant closed in July 2011.

Caritas/Uvira

(Grant Period: August 1, 2010–May 1, 2011)

- Grant closed in July 2011.

SOS-IJM

(Grant Period: October 1, 2010–August 31, 2011)

- **July**

- SOS-IJM moderated four radio programs on the operation and functioning of the organization's legal clinic on Radio Maendeleo on July 5, 12, 19, and 26, 2011, reaching a potential audience of 769,066 listeners.
- **August**
 - On August 2, 9, 16, 23, and 30, SOS-IJM participated in five radio programs on Radio Maendeleo on the right of access to justice, and the peaceful settlement of disputes. The programs reached a potential listening audience of 769,066 listeners based on population figures.
- **September**
 - SOS-IJM hosted four radio programs on justice in rural areas for Radio Maendeleo on September 2, 9, 16, and 23, 2011, reaching a potential audience of 769,066 listeners.

Bukavu Bar Association

(Grant Period: September 1, 2010–August 31, 2011)

- **September**
 - From September 19-20, 2011, the Bar Association held a training workshop for 30 law students (25 men, 5 women) on assisting vulnerable persons in accordance with fair trial standards. The workshop participants discussed ethics, fair trial standards and the rule of law, legal aid, the role of the *Bureau de Consultation Gratuite* (Office for Free Legal Aid), and comparative practices of legal aid in Congolese, French, American, Italian, German, and English law. The workshop allowed participants to identify gaps in the legal aid system in Congolese law and made them aware of the crucial need for government support in order for legal aid to be effective.

Kinshasa

LDFC

(Grant Period: October 1, 2010–August 31, 2011)

- **July**
 - A planned brainstorming workshop on the challenges facing female lawyers originally scheduled this month was postponed until early August. The LDFC held two preparatory meetings on July 10 and July 21, 2011 with the lawyers who will be trainers during the workshop.
- **August**
 - From August 11-12, 2011, LDFC held a workshop to draft an advocacy plan to support more female magistrates and lawyers in the judicial system and bar associations. Twenty people attended (18 women, 2 men), consisting primarily of female lawyers and members of CSOs.
- **September**
 - LDFC held a brainstorming workshop on women's integration into legal professions on September 6, 2011, in which 150 people (142 women, 8 men) attended. Participants included CSOs, Members of Parliament, and lawyers. Three representatives from the Ministry of Gender, Family, and Childhood also attended. LDFC delivered strategy documents to the representatives of the MOJHR, the CSM, diplomatic representatives, and lawyers attending the workshop.

Bandundu

CEPROSOC

(Grant Period: December 1, 2010–August 31, 2011)

- **July**

- From June 27- July 23, 2011, CEPROSOC organized 15 awareness sessions which were led by paralegals using the access to justice pictorial flip chart on laws applicable to sexual violence, family law, and land/property conflicts. A total of 450 people (265 men, 185 women) attended.
 - CEPROSOC organized an awareness-raising session on July 13, 2011 in Bandundu City on the organization and functioning of the judicial system for 139 people (136 women, 3 men).
 - The organization hosted a radio program in on Radio Bangu on July 23, 2011 on justice and the rule of law for listeners in Bandundu and neighboring communities.
- **August**
- From July 27-August 22, 2011, CEPROSOC organized 193 awareness-raising sessions moderated by paralegals. Topics discussed included the functioning of the justice system, the benefits of legal marriage, and real estate and land law. A total of 5,790 people attended (4,235 men, 1,555 women).
 - On August 2, CEPROSOC organized a day of awareness-raising sessions on the rights of women and the importance of legally registering marriages with the Civil Registrar; 175 people attended (134 women, 41 men).
 - On August 25, CEPROSOC held a meeting with 26 paralegals and court personnel (13 women, 13 men) to discuss the framework for communication between paralegals and judicial authorities in order to improve judicial services.
 - CEPROSOC participated in three radio programs on August 23 for Radio Bangu, Radio Rehoboth, and Bandundu FM to discuss the organization and functioning of the justice system, the importance of civil marriage, estate and marriage law, and the legal process to acquire land. The potential listening audience was 375,000 inhabitants in the greater Bandundu area.
- **September**
- Paralegals working under CEPROSOC conducted three awareness-raising sessions on September 25, 27, and 28, 2011 on the functioning of justice, reference procedures, effects of civil marriage, estate law, and land law. Six hundred and seventy people (396 men, 274 women) participated in these sessions.

ASEARO-PROSADEF

(Grant Period: December 1, 2010–August 31, 2011)

- **July**
- On July 22, 2011, ASEARO-PROSADEF hosted a television program on sexual violence laws and conflict resolution for a potential audience of 375,000 people.

Maniema

RAPPE

(Grant Period: March 1–August 31, 2011)

- **July**
- RAPPE held a training workshop on children's rights from July 8-9, 2011 in Kindu for attorneys, social workers, judiciary officials, and leaders of several children's rights organizations for 12 participants (7 men, 5 women).
- **August**

- From August 1-24, RAPPE organized nine sensitization sessions in the communities of Kindu and Kailo on children's rights and child protection laws. A total of 639 participants (376 women, 263 men) attended the sessions.
- RAPPE also participated in four radio programs on K-FM to discuss juvenile court procedures and criminal protection of children for a potential audience of approximately 30,000 listeners.
- **September**
 - Nine sensitization sessions took place on various local radio stations from September 1- 24, 2011 in Kindu and Kailo. Topics discussed included children's rights and laws for the protection of children in markets, schools, and churches. A total of 327 people (171 men, 156 women) participated. The program reached an estimated 300,000 listeners.

CFMUDEMA

(Grant Period: March 1–August 31, 2011)

- **July**
 - CFMUDEMA organized 24 educational sessions from July 1- 24, 2011 in churches, schools, hospitals, markets, and other public areas in Kindu using the sexual violence and gender pictorial flip chart and discussing laws on sexual violence. A total of 2,348 participants (1,432 women, 916 men) attended the sessions.
 - The organization also hosted four programs on July 4, 9, 16, and 23, 2011 on *Radio/Television Vient et Voir* on rape and its legal consequences. The programs aired to a potential audience of 30,000 listeners.
- **August**
 - CFMUDEMA organized 24 awareness-raising sessions from August 1- 24 using the sexual and gender-based violence pictorial flip chart. The sessions took place in public locations in Kindu. Participants totaled 2,272 (1,215 men, 1,057 women).
 - The organization also participated in four radio programs for *Radio Télé Inter-Viens et Vois* on August 4, 9, 16 and 23, discussing rape and its legal consequences under the laws on sexual violence. The potential audience totaled 30,000.
- **September**
 - The organization conducted 24 awareness-raising sessions from September 1- 24, 2011 on the sexual and gender-based violence pictorial flip chart, legislation and other legal tools regarding sexual violence, and women's rights in Kindu. Participants totaled 9,929 (8,353 men, 1,576 women).
 - Female coordinators and facilitators learned how to translate sexual and gender-based violence awareness-raising session themes into Swahili and strengthened their methodology through instruction provided by field supervisors.
 - Four radio programs on *Radio Télé Inter-Viens et Vois* on rape and its legal consequences reached an estimated 30,000 potential listeners.

2. WINDOWS OF OPPORTUNITY

During the reporting period, ProJustice funded two important activities using Windows of Opportunity funds with the approval of USAID.

2.1 INTERNET CONNECTION FOR THE CSM

The CSM requested and received ProJustice assistance in funding internet installation and three months of internet subscription at the CSM PS premises. The connection was necessary to enhance the functionality of the CSM. In the past, ProJustice provided financial assistance to the CSM PS to complete renovation works of their offices, and provided computers and IT equipment as well as furniture.

2.2 RENOVATION WORK AT THE KINDU JUSTICE PALACE

The Justice Palace in Kindu received support from ProJustice to begin renovations to improve court operations. The renovations include:

- Replacing the windows of the courthouse
- Replacing the doors of the courthouse
- Painting the exterior and interior of the courthouse
- Renovating the floor in the veranda and installing fencing around the veranda
- Installing an information kiosk outside the courthouse.

The renovations cost approximately \$30,000.

Tt DPK has completed an initial environmental examination and has determined a negative threshold decision, meaning the activity will not have significant impact on the environment. USAID approved the environmental assessment on May 24, 2011.

3. STAFFING/MANAGEMENT UPDATES

Project Offices Update

Position	Comments
Finance Manager	Candidate began work on August 22, 2011.
Admin-Finance Assistant, Bukavu, Bandundu (two positions)	Candidates selected, awaiting reference checks

4. QUARTER 12 - PROBLEMS AND REMEDIAL ACTIONS

Problem encountered	Corrective action proposed/taken
The compilation of the Judiciary Code did not progress during this trimester. Delays in three laws have caused the ongoing impasse: the law creating the Constitutional Court was not promulgated by the President even though it was sent to the Presidency in May 2011; the law on the procedures to be followed by the Cassation Court was not sent to the Presidency until September 2011; and the law on the organization and functioning of jurisdictions of the Judiciary was submitted for review to the joint parliamentary commission (in the House of Representatives and in the Senate), which should conclude its work during the month of October 2011.	Except for some advocacy activities, no other action is possible, as movement is entirely dependent on the DRC Government.
Although the grant period for certain grantees ended, not all activities were completed on schedule.	ProJustice and grantees agreed to complete the outstanding activities during this quarter. More individual monitoring of grantees in the 3 rd Grant Cycle may increase the timeliness of implementation.

5. MEDIA COVERAGE OF PROJECT ACTIVITIES

ProJustice received press coverage of its events in print and broadcast media, as presented in the summary table below.

Press Summary Table				
Name of Press Outlet	Type (Radio, TV)	Date	Title of Article or Feature	Comments/Description
Potentiel	Daily newspaper	09/30	USAID ProJustice présente un Guide des procédures disciplinaires	A description of the official launching ceremony for the Guide of disciplinary procedures for magistrates
L'Observateur	Daily newspaper	09/30	Lancement du Guide de procédure disciplinaire par l'USAID ProJustice	A description of the official launching ceremony for the Guide of disciplinary procedures for magistrates
RTNC	National TV	09/29	USAID ProJustice lance un Guide des procédures disciplinaires des magistrats	A description of the official launching ceremony for the Guide of disciplinary procedures for magistrates
Radio Okapi	Radio	09/29		A description of the official launching ceremony for the Guide of disciplinary procedures for magistrates

6. OTHER ATTACHMENTS

SUMMARY OF PLANNED ACTIVITIES FOR THE UPCOMING QUARTER

Please see table of planned activities for the upcoming quarter in Attachment 3.

PERFORMANCE MONITORING PLAN TABLE

The Performance Monitoring Plan is presented in Attachment 4.